

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

UNITED STATES OF AMERICA

V.

Lisa Marie Tovar

PRINCIPAL

United States District Court
Southern District of Texas
FILED

United States Citizen

YOB: 1983

AUG 22 2016

CRIMINAL COMPLAINT

Case Number:

M-16-1555 -M

Clerk of Court

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about August 22, 2016 in Hidalgo County, in the Southern District of Texas defendants(s) did,

(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact Carlos Noe Gomez-Moreno, a national of the El Salvador, and Francisco Ramos-Reyes, a national of the United Mexican States, along with three (3) other undocumented alien, for a total of five (5), who had entered the United States in violation of law, did knowingly transport, or move or attempts to transport said aliens in furtherance of such violation of law within the United States, that is from a location near Cuevitas, Texas to the point of arrest near Cuevitas, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) **FELONY**
 I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On August 20, 2016, at approximately 6:30 p.m., Supervisory Border Patrol Agent A. Garza was patrolling the small community of Cuevitas, Texas, located a few hundred yards north of the Rio Grande River. Agent Garza was notified over the service radio that a raft with only one occupant on board was returning to Mexico. This is a sign that a group of illegal aliens was dropped off in the United States and was possibly traveling north from the river.

Agent Garza noticed a blue van driven by a female, later identified as Lisa Marie TOVAR, drive into the area. The blue van was modified to sell snacks out of the passenger side of the vehicle. The blue van was traveling faster than a van selling snacks normally would and drove into a cul-de-sac with only one house. Agent Garza then observed the van drive out of the cul-de-sac and travel east on Military Road. The passenger side door of the blue van has been removed and a counter was installed with a clear view of the interior. Since the blue van had no window, Agent Garza had a clear view of the interior and noticed several subjects attempting to duck behind the counter.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

 Yes No



Signature of Complainant

Appointed Joseph Leonard
Sworn to before me and subscribed in my presence,

August 22, 2016

Date

Israel Perez Senior Patrol Agent

Printed Name of Complainant

at McAllen, Texas

City and State

Dorina Ramos, U. S. Magistrate Judge
Name and Title of Judicial Officer

Dorina Ramos
Signature of Judicial Officer

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS

ATTACHMENT TO CRIMINAL COMPLAINT:

M-16- 1555 -M

RE: **Lisa Marie Tovar**

CONTINUATION:

Agent Garza conducted a traffic stop on the blue van to determine alienage of the vehicles occupants. The driver, Lisa Marie TOVAR, was determined to be a United States Citizen and the remaining five occupants admitted to being in the United States illegally.

All six subjects were placed under arrest and transported to the McAllen Border Patrol Station for processing.

PRINCIPAL STATEMENT:

Lisa Marie TOVAR, a United States Citizen, was advised of her Miranda Rights, stated she understood her rights and initially agreed to make a statement without the presence of an attorney.

TOVAR stated she was driving a GMC ice cream truck and admitted there were five male subjects in the van when she was pulled over. TOVAR claimed the five subjects had forced their way into her van and told her to drive away. TOVAR then refused to answer any more questions without the presence of an attorney.

MATERIAL WITNESS STATEMENTS:

Carlos Noe GOMEZ-Moreno, a citizen and national of El Salvador, and Francisco RAMOS-Reyes, a citizen and national of the United Mexican States, were advised of their Miranda Rights, stated they understood their rights and agreed to make a statement without the presence of an attorney.

MATERIAL WITNESS 1:

GOMEZ claimed he did not remember how much he paid to be smuggled into the United States. GOMEZ stated he crossed the river on a raft with four other people. GOMEZ stated he and the four other subjects walked for about fifteen to twenty minutes to a neighborhood where they waited to be picked up. A van driven by a female arrived, and with the permission of the driver, he and the other four people boarded the van. After driving away, the van was pulled over by law enforcement.

GOMEZ positively identified Lisa Marie TOVAR, in a photo lineup, as the driver of the van.

MATERIAL WITNESS 2:

RAMOS claimed he paid 1,500 USD to be smuggled into the United States. RAMOS stated he crossed the river on a raft with five other people. After crossing, RAMOS claimed they walked for about twenty minutes to a neighborhood where they waited to be picked up. RAMOS stated a van that looked like an ice cream truck arrived, and with the permission of the female driver, the group boarded the van. After driving away, the van was pulled over by law enforcement.

RAMOS positively identified Lisa Marie TOVAR, in a photo lineup, as the driver of the van.